

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

DAVID R. DESPOT,	:	
	:	
Plaintiff,	:	No. 4:03-CV-0931
	:	
vs.	:	Complaint filed 06/04/03
	:	
BANKERS LIFE AND CASUALTY COMPANY,	:	(Judge Muir)
	:	
Defendant	:	

**ORDER #3 of**

August 9, 2005

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

The majority of this order's background is set forth in the first two orders issued on this date. As noted in order #1, on May 27, 2005, Defendant Bankers Life and Casualty Company's (hereinafter "Bankers Life") filed a motion to extend to July 15, 2005, the deadline for filing dispositive motions. When Bankers Life filed that motion, the deadline for filing dispositive motions had been May 31, 2005.

Bankers Life filed a summary judgment motion on the date of the original dispositive motions' deadline and in our order #2 of this date we provided Bankers Life all of the relief to which it was entitled by way of that motion. As a result of that order, Despot's sole remaining claim was dismissed. Consequently, there is no need to extend the deadline for Bankers Life to file any additional dispositive motion or motions. We will deny the motion to extend the deadline for filing dispositive motions

because it is moot.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Banker Life's motion to extend the deadline for filing dispositive motions (Document 49) is denied because it is moot.
2. The Clerk of Court shall close this case.

s/Malcolm Muir  
MUIR, U.S. District Judge

MM:ga